

T H E T O W N O F MERRIMAC

56911 State Highway 113 – P.O. Box 115

Merrimac, WI 53561

MINUTES OF A PUBLIC HEARING

Wednesday, February 1, 2012; 7:00pm

Present were Steve Peetz, Chair; Terry Frosch, Supervisor; John Gaedke, Supervisor; and Tim McCumber, Town Administrator & Clerk – Treasurer. Peetz convened a Public Hearing regarding Town of Merrimac Resolution 2011-08 to lay out a highway in the town in accordance with the process of Chapter 82, Wis. stats., over Town of Merrimac Tax Parcel 026-1007-10000 further described as a Turkey Trail; a private road in Sand Hill Lake Subdivision with undivided 1/9th interest each to lots 1-9 per D739187) totaling 1.6 acres. McCumber reported the town has had several maintenance issues involving the culvert under Turkey Trail. As private property, the landowner is responsible for maintaining the culvert, but no one is assuming the cost of the town's maintenance. He feels it would be in the best interest of all parties to convert the road into a town road. The town would then assume the culvert and could use road aids to cover the expense. He also reported that he has been down there after heavy rain events and snow events and is concerned the lack of maintenance on the road itself is creating a hazard for fire loss and personal safety due to the poor quality of the road. Speaking in opposition is Ron Boyer, owns Lot 7 in Sand Hill Lake subdivision. Boyer asked about Chapter 82. McCumber stated the procedure is a standard procedure for laying out a road. He noted his wife needed EMS services one winter and everyone got in without any issue. He does not think there is an egress problem for emergency services. Mr. Boyer does not feel he has to pay for snow removal when he only uses the road a couple times during the winter. He has never seen the culvert plugged because of beavers and thinks the problem exists in the town right-of-way. He said that the covenants say the road should always stay a private road. Marie Goddard who owns lot 8 and supports the resolution and cited several issues with road care, etc. Linda Lynch of Riverland presented a letter opposing the resolution and spoke to a couple of points brought up by the culvert. They argue the culvert to a public road does not prevent the town from accessing the property and the town can bill the property owners. They have a trapping program and they believe they are doing the most they can to trap the beavers and they have permission from the DNR to trap out of season. She says any property owner can have the property plowed as necessary and that Goddard has not agreed to any maintenance agreements. They believe that an assessment should be a value of assessment and lot 8 should bear the most cost. The condemnation process will be a long and ugly process. They are more than willing to meet with the other property owners to see what can be worked out to resolve the problem. They challenge the procedure based on the fact the notice was not sent certified. Boyer added that he is against the resolution. Judy Ashford, who lives on Bluff Road and is Sauk County Supervisor reported she consulted with the highway department. They could plow that road if the trees were trimmed back, but it is not possible in its present condition. Andy Palmer said as a member of Merrimac fire and they feel the low hanging trees are a problem if they need to get fire equipment down there. The department discussed this situation at a meeting and they believe an engine would get stuck going back there due to the poor quality of the road bed. McCumber asked him to report on the most recent incident involving the blocked culvert. Palmer reported Marsh Road was flooded and they could not blow the culvert out. They had to use a tree to get a tree to clear it as water pressure wasn't sufficient. Goddard added she had reported the area was filling in days before and nothing was done. Goddard says meeting with the other owners results in no action. Goddard noted that Lynch's own comments tonight shows the attitude is that the costs should all be assumed by lot 8. Dennis Beich, town road commissioner, he wanted to say that the dam use to be an issue, but now the last 3 times, the culvert has been plugged and the problem with the dam has not been an issue. Beich said that the road needs to have at least a base put down at least if the town does not take the road over. Peetz, Gaedke to close the hearing.

MINUTES OF THE TOWN BOARD MEETING

Wednesday, February 1, 2012

Present were Steve Peetz, Chair, Supervisor Terry Frosch, Supervisor John Gaedke, and Tim McCumber, Town Administrator & Clerk – Treasurer.

Chairman Peetz then called the **TOWN BOARD MEETING** to order. McCumber confirmed the meeting had been properly noticed. The board considered approval of minutes of the town board meeting of January 4, 2012. Motion by

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Frosch to approve, second by Gaedke. Motion passed. The board reviewed the financial reports and approval of bills. Motion by Frosch to approve, second by Gaedke. Motion passed. Under **PUBLIC COMMENT**, no one appeared. Palmer would like to be put on the agenda next month for fireworks for Merrimac Fire. Under **CORRESPONDENCE**, the town received notice of a public hearing regarding amendments to the Sauk Prairie Comprehensive Plan for the proposed Sauk Prairie Hospital on February 14 at 6:30pm in the Sauk Prairie Middle School, 207 Maple Street, Sauk City. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**, McCumber reported there is a Sauk Prairie School District Primary election on February 21st from 7am – 8pm. Frosch will be out of town for next month's meeting. There was no **OLD BUSINESS**. Under **NEW BUSINESS**, the board discussed Resolution 2012-01, a resolution and order to lay out a highway in the town in accordance with the process of Chapter 82, Wis. stats., over Town of Merrimac Tax Parcel 026-1007-10000 further described as a Turkey Trail; a private road in Sand Hill Lake Subdivision with undivided 1/9th interest each to lots 1-9 per D739187) totaling 1.6 acres. Peetz moved to table the ordinance, second by Gaedke. Peetz addressed the audience and said that the town is concerned about Marsh Road. He said he would like to see an agreement to take care of the problem. Lynch thinks the owners can work something out. Peetz would like the owners to send something to McCumber. Goddard commented that she won't meet with the other parties. Motion to table passed. As a result of the previous motion Resolution 2012-02, a preliminary resolution to levy special assessments for improvements in the Turkey Trail subdivision for highway improvements was not considered. The board then discussed Resolution 2012-03, a resolution affirming a vote to discontinue Svec Court as a town road. McCumber reported the DNR is still working on this case and the board acted upon a voice vote rather than a resolution which they are requesting. Motion to approve by Peetz, second by Frosch. Motion passed unanimously.

Motion to adjourn by Frosch, second by Gaedke. Motion passed.

Town Officers: Steve Peetz, Chair, 493-2106; Terry Frosch, Supervisor, 493-2891; John Gaedke, 356-2301; Supervisor, 493-2891; Tim McCumber, Town Administrator and Clerk-Treasurer, 493-2588 (**please, no calls at residence except for emergencies**). Assessor: Steve Mahlik, Equity Appraisal, LLC, 608/826-0009. Email address: townmerr@merr.com. Building permits are required in the Town of Merrimac. Contact Tim McCumber for permits and zoning regulations (tnadmin@merr.com). Town website: <http://www.tn.Merrimac.wi.gov>. Special Garbage Collection requests to Peterson Sanitation: 608/524-6603.